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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 MONTRAIL D. SMITH,

9 Petitioner,

2:15-cv-00487-KJD-VCF

10 vs.

ORDER

11 RENEE BAKER, *et al.*,

12 Respondents.
13 _____/

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15 In this habeas corpus action, the petitioner, Montrail D. Smith, was due to file a first
16 amended habeas petition on December 28, 2015. *See* Order entered September 30, 2015 (ECF
17 No. 15).

18 On December 28, Smith filed a motion for extension of time (ECF No. 16), requesting a
19 60-day extension of time -- to February 26, 2016 -- to file his first amended petition. This would be
20 the second extension of time for Smith to file his first amended petition; he was previously granted a
21 90-day extension. Smith's counsel states that this second extension of time is necessary because of
22 the complexity of the case and because of his obligations in other cases. Respondents apparently do
23 not oppose the extension of time.

24 The court finds that the motion for extension of time is made in good faith and not solely for
25 the purpose of delay, and that there is good cause for the requested extension of time. The court will
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1 grant the motion for extension of time, and extend to February 26, 2016, the time for Smith to file a
2 first amended petition.

3 In light of the amount of time that Smith will have had to file an amended petition, the court
4 will not look favorably upon any motion to further extend this deadline.

5 **IT IS THEREFORE ORDERED** that, petitioner shall have until and including
6 **February 26, 2016**, to file a first amended petition for writ of habeas corpus.

7 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
8 proceedings set forth in the order entered July 1, 2015 (ECF No. 13) shall remain in effect.

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10 Dated this 4 day of January, 2016.

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13 UNITED STATES DISTRICT JUDGE